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7-19-02

PATENT APPLICATION

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: CA1066

William J. CHASTAIN

Appln. No. 09/780,877

Group Art Unit: 2631

Confirmation No.: 9011

RECEIVED

JUL 18 2002

Technology Center 2600

~~Filed: February 9, 2001~~

For: METHOD FOR TRANSMITTING AND RECEIVING DIGITAL INFORMATION  
OVER UNUSED PORTIONS OF LICENSED COMMUNICATION CHANNELS

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) (substitute for PTO Form 1449) form and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, along with a copy of the International Search Report from the European Patent Office from the co-pending PCT Application.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date for an application other than a continued prosecution application (CPA) under §1.53(d); (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a

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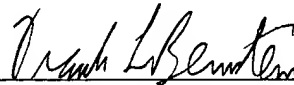
INFORMATION DISCLOSURE STATEMENT

U.S. Appln. No. 09/780,877

request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,



Frank L. Bernstein

Registration No. 31,484

SUGHRUE MION, PLLC  
1010 El Camino Real, Suite 300  
Menlo Park, CA 94025

Tel: 650-325-5800

Fax: 650-325-6606

Date: July 11, 2002



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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

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Signed: Thea K. Wagner

Thea K. Wagner